

REMARKS

For convenience in discussing the Action, parts of the Action discussed in the instant response are identified using the headings used in the Action.

Drawings

The Office has noted that Figures 1, 1A and 1B should be designated, i.e., labeled, by a legend such as "Prior Art" because only that which is old is illustrated in these figures. Submitted with this response is a sheet of drawings in which Figures 1A and 1B have been labeled as "Prior Art". Also submitted herewith is a sheet showing proposed corrections to Fig. 3 to correct minor errors. Approval of the proposed corrections is respectfully requested.

Paragraph 5 bridging pages 2 and 3 of the Action does not relate to the drawings. Applicant acknowledges that the listing of references in the specification is not an information disclosure statement.

Specification

The specification is objected to as failing to provide proper antecedent basis for the subject matter claimed in claims 3 and 4.

This objection has currently been rendered moot by the cancellation of claims 3 and 4.

Claim Interpretation

The position of the Office in this portion of the Action is that the claims do not limit the battery of the invention to use with a video camera. Claims 1-4 recite "capable of being removable mounted in a coupling surface of a video camera etc.". The term "etc." in the claims is being interpreted to encompass other devices which employ batteries. The Office is correct. The claims are not intended to limit the battery of the invention to use with a video camera. The preamble is a recitation of a preferred use. The battery of the invention can be used in other devices which employ batteries. However, to avoid possible indefiniteness, claim 1 has been amended to delete the term "etc.".

Claim Objections

Claims 3 and 4 are objected to because the term "theses" in the last line of each of these claims should be "these". This objection has also been rendered moot by the cancellation of claims 3 and 4.

Claim Rejections - 35 U.S.C. §112

Claims 2-4 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite.

First, regarding claim 2, the Office appears to be saying that two batteries are included within the scope of claim 2. This is not a correct interpretation of claims 1 and 2. Only one battery is claimed. The battery is capable of being connected to another battery. However, claims 1 and 2 have been amended to further clarify that only one battery is included within the scope of the claims.

Regarding claims 3 and 4, these claims, as noted above, have been cancelled.

Claim Rejections - 35 U.S.C. §102

Claim 1 is rejected under 35 U.S.C. §102(b) as being anticipated by JP 06-104814 ("JP '814"). The position of the Office is that the elements of the battery of the invention as currently recited in claim 1 can be interpreted as reading on the elements of the battery of the reference. To avoid this rejection, claim 1 has been amended to properly recite the elements of the battery of the invention in terms that distinguish over the battery

of JP '814. Specifically, claim 1 recites the battery of the invention as comprising a front cover and a rear cover and a battery pack enclosed by said covers, said rear cover being provided with a substantially V-shaped recess in its surface, said V-shaped recess having a top portion formed by a V-shaped engagement plate having a dovetail cross-section; said front cover being provided with a V-shaped protrusion on its surface corresponding to the V-shaped recess in said rear cover, said V-shaped protrusion having a V-shaped receiving groove for receiving and forming a dovetail joint with the V-shaped engagement plate of another of said battery and corresponding to a V-shaped receiving groove provided in the coupling surface or in the adapter plate mounted in the coupling surface of the video camera (or the like) to which said battery is to be mounted.

Claim Rejections - 35 U.S.C. §103

Claim 2 is rejected under 35 U.S.C. §103(a) as being unpatentable over JP '814 in view of JP 11-174135 ("JP '135") or JP 09-035762 ("JP '762").

This rejection is related to the rejection of claim 1. Claim 1 has been amended to avoid the rejection over JP '814. Since

claim 2 is dependent on claim 1, claim 2 is now *prima facie* patentable.

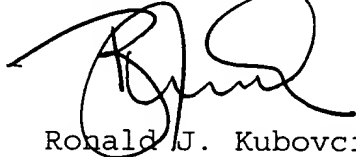
The foregoing is believed to be a complete and proper response to the Office Action dated April 28, 2003, and is believed to place this application in condition for allowance. If, however, minor issues remain that can be resolved by means of a telephone interview, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number indicated below.

In the event that this paper is not considered to be timely filed, applicant hereby petitions for an appropriate extension of time. The fee for any such extension may be charged to our Deposit Account No. 111833.

In the event any additional fees are required, please also charge our Deposit Account No. 111833.

Respectfully submitted,

KUBOVCIK & KUBOVCIK

A handwritten signature in black ink, appearing to be 'Ronald J. Kubovcik', written over a horizontal line.

Ronald J. Kubovcik
Reg. No. 25,401

PATENT APPLN. NO. 09/889,168
RESPONSE UNDER 37 C.F.R. §1.111

**PATENT
NON-FINAL**

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